

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KEITH PAUL BIRD,
Plaintiff,
v.
STACEY BARRETT, et al.,
Defendants.

Case No.: 3:24-cv-00554-ART-CSD

ORDER

Defendants.

9 On December 3, 2024, plaintiff Keith Paul Bird, an inmate in the custody of the
10 Nevada Department of Corrections, submitted an application to proceed *in forma*
11 *pauperis* and a civil-rights complaint under 42 U.S.C. § 1983. ECF Nos. 1, 1-1. Plaintiff's
12 *in forma pauperis* application is incomplete because he failed to provide a financial
13 certificate and an inmate trust fund account statement for the previous six-month period.

14 Plaintiff must pay the required filing fee or file a complete application to proceed *in*
15 *forma pauperis* to continue with this action. The fee for filing a civil-rights action is \$405,
16 which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C.
17 § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the
18 court for leave to proceed *in forma pauperis*.” Nev. LSR 1-1. For an inmate to apply for *in*
19 *forma pauperis* status, the inmate must submit **all three** of the following documents to the
20 Court: (1) a completed **Application to Proceed *in Forma Pauperis* for Inmate**, which is
21 pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on
22 page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved
23 form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy
24 of the **inmate’s prison or jail trust fund account statement for the previous six-**
25 **month period**. See 28 U.S.C. § 1915(a)(1), (2); Nev. LSR 1-2. *In forma pauperis* status
26 does not relieve an inmate of his or her obligation to pay the filing fee, it just means that
27 the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

1 It is therefore ordered that Plaintiff has **until March 7, 2025**, to either pay the full
2 \$405 filing fee or file: (1) a completed application to proceed *in forma pauperis* with the
3 inmate's two signatures on page 3, (2) a completed financial certificate that is signed both
4 by the inmate and the prison or jail official, and (3) a copy of the inmate's trust fund
5 account statement for the previous six-month period.

6 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
7 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
8 to refile the case with the Court, under a new case number, when Plaintiff can file a
9 complete application to proceed *in forma pauperis* or pay the required filing fee.

10 The Clerk of the Court is directed to send Plaintiff the approved form application to
11 proceed *in forma pauperis* for an inmate and instructions for the same, and to retain the
12 complaint (ECF No. 1-1) but not file it at this time.

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15 DATED: January 6, 2025

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UNITED STATES MAGISTRATE JUDGE

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